

Joint Standing Committee on Legal and Veterans' Affairs

LD 7 **Resolve, Authorizing Bonnie Dunn to Sue the State** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER	ONTP	

LD 7 proposed to authorize Bonnie Dunn to sue the State for damages resulting from a fall at Lake St. George State Park.

LD 9 **An Act to Regulate Exit Polling** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GLYNN	ONTP	

LD 9 proposed to prohibit exit polling within the voting place as well as within 250 feet of the voting place.

LD 19 **An Act to Revoke the Voting Privileges of Persons Convicted of Murder or a Class A Crime** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS LEMONT	ONTP	

LD 19 proposed to prohibit a person who has been convicted of murder or a Class A crime from being eligible to vote.

LD 20 **An Act to Increase the Pay-out Limit for Bingo Events** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREADWELL MITCHELL B	ONTP	

LD 20 proposed to increase the total prizes that could be awarded at any one bingo event from \$1,400 to \$2,000.

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LD 48

An Act to Prohibit a Liquor Licensee from Employing a Manager or Person in Charge if that Person has a Criminal Record

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LABRECQUE MCALEVEY	ONTP	

LD 48 proposed to prohibit a person licensed to sell liquor from employing as a manager or leaving the licensed premises in charge of a person who has been convicted of a violation of any liquor laws or whose license to sell liquor has been revoked within the previous 5 years. This bill also proposed to prohibit the employment as a manager or person in charge any person who, within the last 5 years, has been convicted of a Class A, Class B or Class C crime or the violation of any liquor laws or whose license to sell liquor has been revoked within the last 5 years.

LD 51

An Act to Increase the Penalty for Furnishing Liquor to a Minor if Injury or Death Results

PUBLIC 395

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERDIERE	OTP-AM	H-29

LD 51 proposed to classify furnishing or allowing consumption of liquor by a minor as a Class D crime. This bill proposed to increase the classification to a Class C crime if the consumption of the furnished liquor by the minor proximately causes death of or bodily injury to the minor or any other individual.

Committee Amendment "A" (H-29) clarified the original bill by specifying that a person would be guilty of this crime if the act of furnishing alcohol to a minor results in serious bodily injury or death. It also changed the standard of proof necessary to find the person guilty of this crime from "proximately" causing to "in fact" causing the injury or death.

Enacted law summary

Current law classifies furnishing or allowing consumption of liquor by a minor as a Class D crime. Public Law 2001, chapter 395 increases the classification to a Class C crime if the consumption of the furnished liquor by the minor in fact causes death of or bodily injury to the minor or any other individual.

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LD 59 **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Increase the Number of Signatures Required on Direct Initiative Petitions** **ONTP**

<u>Sponsor(s)</u> MAYO NUTTING J	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 59 proposed to amend the Constitution of Maine to require that the number of signatures required on a petition to directly initiate legislation be not less than 15% of the total vote for Governor cast in the last preceding gubernatorial election. The percentage currently required is 10%.

LD 88 **Resolve, Authorizing Zelma Rudge to Sue the State** **ONTP**

<u>Sponsor(s)</u> STANLEY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 88 proposed to authorize Zelma Rudge, as personal representative of the estate of Victor Lizzotte, to bring a civil action against the State for damages resulting from the alleged negligence of the Department of Human Services concerning the death of Victor Lizzotte. The resolve would have allowed the State to be sued up to a maximum of \$250,000 or to the applicable insurance policy limits.

LD 108 **An Act to Expand the Number of Authorized High-stakes Beano and High-stakes Bingo Games** **PUBLIC 295**

<u>Sponsor(s)</u> LORING CATHCART	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-439
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LD 108 proposed to provide that a federally recognized Indian tribe that operates high-stakes beano or high-stakes bingo is operating in the tribe's governmental capacity. When operating in a governmental capacity, the tribe is not subject to taxation. The bill also proposed to allow high-stakes beano and high-stakes bingo games to be operated on New Year's Eve and New Year's Day.

Committee Amendment "A" (H-439) struck the section of the bill that states that the operation of high-stakes beano and high-stakes bingo is within a federally recognized Indian tribe's governmental capacity. It retained the provision that permits games to be conducted on New Year's Eve and New Year's Day.

Enacted law summary

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Public Law 2001, chapter 295 permits federally recognized Indian tribes licensed to conduct high-stakes beano and high-stakes bingo to operate those games on New Year's Eve and New Year's Day.

LD 123 RESOLUTION, Proposing an Amendment to the Constitution of DIED IN
Maine to Require Signatures From All Counties on Direct Initiative CONCURRENCE
Petitions

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO	ONTP MAJ	
NUTTING J	OTP-AM MIN	

LD 123 proposed amending the Constitution of Maine to require that at least 5% of the number of signatures required on a petition to directly initiate legislation be collected in each of the 16 counties.

Committee Amendment "A" (H-169), which was not adopted, proposed to replace the original resolution by amending the statutes governing the circulation of petitions that directly initiate legislation. This amendment proposed to require that petitions circulated to directly initiate legislation include signatures from 10 of the State's 16 counties. As proposed, the number of petition signatures collected in those counties must equal 5% of the vote for Governor cast in that county in the last gubernatorial election preceding the filing of that petition.

LD 133 An Act to Allow Beverage Sales from Mobile Service Vehicles on DIED BETWEEN
Golf Courses Golf Courses BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH	ONTP MAJ	
TUTTLE	OTP-AM MIN	

LD 133 proposed to permit the Bureau of Liquor Enforcement to license golf courses to serve liquor on the course from a mobile service bar.

Committee Amendment "A" (S-80), which was not adopted, proposed to add several new provisions to the original bill pertaining to a golf course mobile service bar license. The amendment proposed to establish the annual license fee for a mobile service bar at \$100 and proposed to limit sales from a mobile service bar to just malt liquor. It also would have required that a licensee ensure that malt liquor would be served to only those engaged in a round of golf, that the cart would not be operated during a tournament including persons under 21 years of age, under this amendment patrons would not be permitted to transport open containers of malt liquor across a public way. It also specified that the operator of a mobile service bar must successfully complete an alcohol server education course approved by the Bureau of Liquor Enforcement within the Department of Public Safety. The amendment also would have required that the bureau revoke a license for a mobile service bar for violation of the liquor laws or any rule adopted by the bureau. The amendment proposed to remove the emergency provision in the original bill and would have added a sunset to repeal the section that provides for the mobile service bar license on January 1, 2004.

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LD 181

An Act to Allow Families of Deceased Veterans to Maintain Cemetery Plots within the Maine Veterans' Memorial Cemetery System

ONTP

Sponsor(s)
POVICH

Committee Report
ONTP

Amendments Adopted

LD 181 proposed to allow the use of authorized polymer bases for headstones in Maine veterans' cemeteries. It also specified that polymer bases would not be provided at the state's expense. Polymer bases are intended to prevent grave markers from sinking and for minimizing plant growth around the grave markers.

LD 192

An Act to Provide Disclosure to Voters by a Person Paid to Collect Signatures

DIED IN CONCURRENCE

Sponsor(s)
DAIGLE
DOUGLASS

Committee Report
ONTP MAJ
OTP-AM MIN

Amendments Adopted

LD 192 proposed to require any person who is paid to collect signatures for a petition to disclose that fact to a voter before the voter signs the petition.

Committee Amendment "A" (H-318), which was not adopted, proposed to replace the original bill. It proposed to require that every sheet of a citizen initiative petition include a sentence that would read: "This petition may or may not be circulated by someone who is paid to collect signatures."

LD 193

Resolve, to Establish a Centralized Voter Registration List for the State

RESOLVE 58 EMERGENCY

Sponsor(s)
TESSIER
GAGNON

Committee Report
OTP-AM

Amendments Adopted
H-438
S-341 BENNETT

LD 193 proposed to require the Secretary of State to maintain a central voting list for the State and to update the list at least once a year by requesting the voting list from the registrar of every municipality in the State. This bill also proposed to require a registrar to furnish the voting list for the registrar's municipality to the Secretary of State upon request from the Secretary of State.

Committee Amendment "A" (H-438) replaced the original bill and created a resolve that establishes a task force to study implementing a central voting list for the State to be conducted by the Secretary of State.

Senate Amendment "A" to Committee Amendment "A" (S-341) removed the authority of the Secretary of State to convene a task force to study the requirements necessary to develop and implement a centralized voter

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registration list and instead establishes the Task Force to Establish a Centralized Voter Registration List. Members of the task force are to be appointed jointly by the Speaker of the House and the ranking leader of the House Republicans and the President and President Pro Tempore of the Senate and consist of municipal officials, a representative of the League of Women Voters of Maine, public members, representatives of the major political parties, the State Information Officer, the Secretary of State and staff from the Secretary of State's office. The task force is required to report to the Joint Standing Committee on Legal and Veterans' Affairs. This amendment also added an emergency preamble and clause to the committee amendment.

Enacted law summary

Resolve 2001, chapter 58 requires the Secretary of State to convene a task force to study the requirements necessary to develop and implement a centralized voter registration list and instead establishes the Task Force to Establish a Centralized Voter Registration List. Members of the task force are appointed jointly by the Speaker of the House and the ranking leader of the House Republicans and the President and President Pro Tempore of the Senate and consist of municipal officials, a representative of the League of Women Voters of Maine, public members, representatives of the major political parties, the State Information Officer, the Secretary of State and staff from the Secretary of State's office. The task force is required to report to the Joint Standing Committee on Legal and Veterans' Affairs.

Resolve 2001, chapter 58 was passed as an emergency measure effective June 19, 2001.

LD 194 **An Act to Ensure Stability in Maine's Harness Racing and Off-track Betting Business** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER GAGNON	ONTP	

LD 194 proposed to provide that a racetrack could accept wagers on simulcast races only if it had been authorized to and had accepted such wagers in the past or if it was located outside the market areas of existing businesses established to accept such wagers.

LD 199 **RESOLUTION, Proposing An Amendment to the Constitution of Maine to Restrict Reintroduction of Previously Failed Citizen Initiatives** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY FERGUSON	ONTP	

LD 199 proposed to amend the Constitution of Maine to bar for 6 years the direct initiation by a citizen of legislation that was rejected by the people of the State. Under this resolution, the issue of whether an initiative is

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the same as one that had failed at referendum within the preceding 6 years would be resolved by the Secretary of State.

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LD 206

An Act to Clarify the Use of 2-sided Ballots

PUBLIC 84

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMOINE NUTTING J	OTP-AM	H-117

LD 206 proposed to require that the Secretary of State prepare ballots in a single-sided format.

Committee Amendment "A" (H-117) replaced the original bill to require that double-sided ballots furnished for elections include a message on each side of the ballot reminding the voter to mark both sides of the ballot.

Enacted law summary

Public Law 2001, chapter 84 requires that double-sided ballots furnished for elections include a message on each side of the ballot reminding the voter to mark both sides of the ballot.

LD 214

An Act to Amend the Laws Governing Campaign Contributions

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P MENDROS	ONTP MAJ OTP MIN	

LD 214 proposed to amend the Maine Clean Election Act to permit a qualified candidate to accept individual contributions less than or equal to \$50 aggregating less than \$2000. These contributions could be in addition to money distributed to a qualified candidate from the Maine Clean Election Fund.

LD 222

An Act to Clarify When Notice is Effective for Termination of a Tenancy

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	ONTP	

LD 222 proposed to clarify when notice is effective for termination of a tenancy.

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LD 225

An Act to Enable Small Wineries to do Business in Maine

PUBLIC 20

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON SAVAGE W	OTP	

LD 225 proposed to lower the fee for a certificate of approval for a manufacturer or foreign wholesaler of wine who ships 120 gallons of wine or less per year to \$100 from \$600.

Enacted law summary

Public Law 2001, chapter 20 lowers the fee for a certificate of approval for a manufacturer or foreign wholesaler of wine who ships 120 gallons of wine or less per year from \$600 to \$100.

LD 238

An Act to Require Proof of Identity in Order to Vote

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH KNEELAND	ONTP MAJ OTP-AM MIN	

LD 238 proposed to require a voter who wishes to vote in an election to provide proof of identity in the form of a photo driver's license, a state-provided picture identification card or some other identification card created by the Secretary of State for the purpose of voting.

LD 252

An Act to Reduce the Time Permissible for Displaying Political Signs

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN KILKELLY	ONTP	

LD 252 proposed to change the allowable time frame to 3 weeks prior to the election.

Current law provides that political signs may not be placed in a right-of-way prior to 6 weeks before the election to which they relate.

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LD 254

Resolve, Authorizing Charles O'Conner to Sue the State

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINKHAM DAVIS P	ONTP	

LD 254 proposed to allow Charles O'Conner to sue the State for the purpose of recovering his liquor license. If the plaintiff, Charles O'Conner, prevailed in the suit, the resolve would have required the Bureau of Liquor Enforcement to renew O'Conner's liquor license.

LD 255

**An Act to Require the State Harness Racing Commission to
Appoint Judges for Harness Races**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRABTREE KILKELLY	ONTP MAJ OTP-AM MIN	

LD 255 proposed to provide for the Maine Harness Racing Commission to appoint the judges and associate judges to preside at licensed racing meets. Once appointed by the commission, the judge would be an employee of the person licensed to conduct the racing meets.

Committee Amendment "A" (H-506), which was not adopted, proposed to continue to allow persons licensed to conduct commercial and extended meets to hire their own judges from lists of judges who have been duly licensed by the Maine Harness Racing Commission. For all other racing meets, the amendment would have required that the commission appoint judges and associate judges licensed by the commission.

LD 257

**An Act to Discourage Underage Consumption of Alcohol by a
Minor**

PUBLIC 160

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LABRECQUE SAVAGE C	OTP-AM	H-167

LD 257 proposed to amend the laws prohibiting the consumption of alcohol by a minor by increasing the forfeiture for violation from not less than \$100 nor more than \$300 to not less than \$200 nor more than \$400 for the first offense; not less than \$200 nor more than \$500 to not less than \$300 nor more than \$600 for the 2nd offense; and from \$500 to \$600 for a 3rd or subsequent offense. The bill also proposed to give the court the authority to suspend a license if a minor violates Title 28-A, section 2051, subsection 1, paragraph D that prohibits use of any evidence of age that is false, fraudulent or not the minor's own.

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Committee Amendment "A" (H-167) amended the original bill by mandating, for a 2nd or subsequent offense, the suspension of a minor's driver's license who is guilty of presenting or offering fraudulent identification to obtain liquor or to enter a licensed premises where minors are not allowed. The amendment maintained the provision in the original bill that grants the court discretion to suspend a driver's license for an initial offense.

Enacted law summary

Public Law 2001, chapter 160 increases the penalty for a minor who uses or attempts to use a fraudulent or false identification for the purposes of obtaining liquor. For the first offense the penalty is increased from \$100 to \$200. For the second offense the penalty is increased from \$200 to \$300. For the third and any subsequent offense the penalty is increased from \$500 to \$600. This law also provides that a judge may suspend the driver's license of a minor for a first offense for 30 days. For a second offense the judge is required to suspend a minor's driver's license for 90 days and for 1 year for any subsequent offense.

LD 268

An Act Regarding Veterans

**DIED ON
ADJOURNMENT**

Sponsor(s)
TUTTLE
DOUGLASS

Committee Report
OTP-AM

Amendments Adopted
H-583

LD 268 proposed to reduce from 15 to 5 the years of creditable service a state employee who is a member of the Maine State Retirement System must have before the employee is eligible to purchase service credits for service in the Armed Forces of the United States. It also proposed to remove the requirement that members joining after January 1, 1976 must have served in a federally recognized period of conflict to be eligible to purchase military service credits. It proposed to expand eligibility for the veterans' property tax exemption and removes from statute eligibility requirements related to federally recognized periods of war. It also proposed that all honorably discharged veterans who are 62 years of age or older be eligible for the veterans' property tax exemption authorized by this bill. The bill would have required the Department of Administrative and Financial Services, Maine Revenue Services to notify each municipality of this expanded eligibility at least 60 days prior to the beginning of the first property tax year to which this expanded eligibility applies. It also proposed to designate as public assistance aid provided to veterans and their dependents pursuant to the Maine Revised Statutes, Title 37-B and requires that the Department of Defense, Veterans and Emergency Management retain administrative responsibility for this aid. It would have restored funding for support staff positions in the Department of Defense, Veterans and Emergency Management, Bureau of Veterans' Services regional field offices that were eliminated in the budget cuts of 1990. It also proposed to provide funding to purchase new computers and software for the regional offices that will, among other things, link them with the bureau's Togus claims office. The bill would have also restored funding to provide aid to veterans and their dependents.

Committee Amendment "A" (H-583) proposed to increase the property tax exemption for honorably discharged veterans from \$5,000 to \$6,000. It proposed to require that the exemption be granted only to veterans who received an honorable discharge, but would have grandfathered those veterans who otherwise qualify for an exemption prior to April 1, 2002. The amendment also proposed to make other minor technical corrections and add an appropriation section and a fiscal note to the bill.

The bill was enacted in the House but died in the Senate on the Appropriations Table upon adjournment.

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LD 279

**An Act to Amend the Time the Registrar is Required to be at a
Municipal Caucus**

PUBLIC 102

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY	OTP-AM MAJ	H-168
MCALLEVEY	ONTP MIN	

LD 279 proposed to amend the time that the registrar of voters of a municipality is required to be at a municipal caucus from one hour preceding the commencement of the party caucus to 20 minutes preceding the commencement of the party caucus.

Committee Amendment "A" (H-168) amended the bill by requiring that the registrar attend official party caucuses for at least 30 minutes preceding the commencement of the caucus.

Enacted law summary

Public Law 2001, chapter 102 changes from 1 hour to 30 minutes the length of time that the registrar of voters must attend official party caucuses preceding the commencement of the caucus.

LD 284

**An Act to Reimburse Philip Wolley for Litigation Expenses
Incurred in Connection with His Termination and Reinstatement as
a State Employee**

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER	ONTP MAJ	
SAWYER	OTP MIN	

LD 284 proposed to appropriate funds in the amount of \$28,000 to reimburse Philip Wolley for litigation expenses incurred in connection with his termination and subsequent reinstatement as a state employee. In the House, the minority "Ought to Pass" Committee Report was accepted and the House asked for a Committee of Conference on LD 284. In the Senate, the majority "Ought Not to Pass" Committee Report was accepted. LD 284 died between the bodies.

LD 285

**Resolve, to Establish the Commission to Clarify the Laws
Governing Lobbyist Disclosure Requirements**

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAIGLE	OTP-AM	H-440
PENDLETON		

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LD 285 proposed to broaden the definition of lobbying to include time spent attending legislative hearings, work sessions and floor debate. The bill also proposed to require that lobbyists and others who are compensated to present testimony, but are not registered lobbyists, identify themselves and their employers before presenting written or oral testimony to any legislative committee or board, commission or similar agency of State Government.

Committee Amendment "A" (H-440) proposed to replace the bill by establishing the 8-member Commission to Clarify the Laws Governing Lobbyist Disclosure Requirements. The commission would have been required to report its findings and recommendations to the Joint Standing Committee on Legal and Veterans Affairs by December 1, 2001.

The bill was enacted in the House but died in the Senate on the Appropriations Table upon adjournment.

LD 289 An Act Regarding Horse Racing CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY FERGUSON		

LD 289, which was carried over to the Second Regular Session, proposes to amend the definition of a "commercial track" by deleting the different criteria that currently apply to areas with different populations. It also proposed to make technical changes to make the use of this term consistent with the term "commercial licensee."

LD 294 An Act to Clarify the Laws Prohibiting Consumption or Possession of Alcohol by a Minor PUBLIC 9

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS LABRECQUE	OTP	

LD 294 proposed to clarify that the person present when a minor is permitted to possess liquor must be the minor's parent, legal guardian or custodian. This bill also proposed to clarify that a minor may possess liquor in any home in the presence of the minor's parent, legal guardian or custodian. Current law prohibits a minor from consuming liquor except in a home in the presence of "a parent, legal guardian or custodian."

Enacted law summary

Public Law 2001, chapter 9 clarifies that a minor may possess liquor in any home in the presence of the minor's parent, legal guardian or custodian not the parent, legal guardian or custodian of any minor.

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LD 295

An Act to Prohibit the Display of Liquor in Windows

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS TUTTLE	ONTP	

LD 295 proposed to prohibit a person licensed to sell liquor from displaying liquor in a window of the licensed premises.

LD 296

An Act to Specify the Permissible Hours for Sale of Liquor By Wholesale Licensees

PUBLIC 21

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS TUTTLE	OTP-AM	S-12

LD 296 proposed to specify that wholesale licensees may sell or deliver liquor to licensed establishments from 4 a.m. on any day until 1 a.m. the following day.

Committee Amendment "A" (S-12) made a technical correction to the original bill.

Enacted law summary

Public Law 2001, chapter 21 specifies that wholesale licensees may sell or deliver liquor to licensed establishments from 4 a.m. on any day until 1 a.m. the following day.

LD 388

An Act to Amend Disclosure Reporting Requirements

PUBLIC 75

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCDONOUGH RAND	OTP-AM	H-90

LD 388 proposed to provide that the forms for legislative financial disclosure will be prepared by and provided to each Senator and each member of the House of Representatives by the Commission on Governmental Ethics and Election Practices. This bill also proposed to change the responsibility for administering disclosure reporting requirements from the Secretary of State to the commission. Additionally, this bill proposed to exempt an appointed and elected executive employee from filing another statement if one has already been filed by that employee for the preceding calendar year.

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Enacted law summary

Public Law 2001, chapter 75 corrects an error in current law by providing that it is the Commission on Governmental Ethics and Election Practices that receives income statement reports and updating statements from legislators, not the Secretary of State. It also provides that Executive Branch employees and constitutional officers are not required to file a financial disclosure report in April if one has already been filed during the preceding calendar year.

LD 397

An Act to Amend the Laws Governing Small Brewery Licenses

PUBLIC 236

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT	OTP-AM MAJ	S-191
KOFFMAN	ONTP MIN	

LD 397

Under current law, the holder of a small brewery license may directly sell the product to retailers. The bill proposed to extend this right to all brewery license holders, not just small brewery license holders.

Committee Amendment "A" (S-191) replaced the original bill. It provides that a small brewery licensee may renew its license for only one year upon reaching the 50,000 gallon production threshold. After that year, if the licensee is still producing more than 50,000 gallons, it no longer qualifies for a small brewery license. The amendment also provides for proper compliance with the bottle deposit law.

Enacted law summary

Public Law 2001, chapter 236 provides that a small brewery licensee may renew its license for only one year upon reaching the 50,000 gallon production threshold. After that year, if the licensee is still producing more than 50,000 gallons, it no longer qualifies for a small brewery license. The law also provides for proper compliance with the bottle deposit law.

LD 401

An Act to Prohibit the Sale of Liquor by Retail Licensees for Less than the Actual Price Paid

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	OTP MAJ	
CHIZMAR	ONTP MIN	

LD 401 proposed to prohibit retail liquor licensees from selling any liquor for less than the actual price paid for the liquor.

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LD 447 **Resolve, Authorizing Sharon Huff and Raymond Huff to Sue the State** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEIL	ONTP MAJ OTP-AM MIN	

LD 447 proposed to authorize Sharon Huff and Raymond Huff, individually and on behalf of their minor daughter, Kristina Huff, to bring a civil action against the State for damages resulting from the alleged negligence of the Department of Human Services concerning the placement of Richard J. Huff in their household. The resolve would have allowed the State to be sued up to a maximum of \$400,000.

Committee Amendment "A" (H-296) was the minority report of the committee and would have added a fiscal note to the resolve. Committee Amendment "A" was not adopted.

LD 454 **An Act to Clean Up Maine's Clean Election Law** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	ONTP	

LD 454 proposed to amend the laws governing campaign practices by defining "issue advocacy" and stating that expenditures made by individuals or political committees that are used for communications that expressly advocate the election or defeat of a clearly identified candidate are contributions to the campaign of the candidate that the communication is intended to benefit. Expenditures for such contributions would be prohibited without the authorization of the candidate that the communication is intended to benefit. Under this bill, communications that would be considered issue advocacy could not be distributed without first notifying the candidate mentioned in the communication at least 48 hours in advance. This bill also proposed to amend the Maine Clean Election Act by increasing the amount of qualifying contributions from \$5 to \$10, extending the time frame in which a candidate could collect and spend seed money and prohibiting participating candidates from soliciting contributions or making expenditures for a political action committee.

LD 460 **An Act to Promote Fairness and Equity in Liquor Prices** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS MAYO	ONTP MAJ OTP-AM MIN	

LD 460 proposed to remove the requirement that agency liquor stores must sell spirits to on-premises licensees for the same price that a state liquor store would charge. Under this bill, the agency liquor store could sell spirits to on-premises licensees for the same price it charges retail customers.

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Committee Amendment "A" (S-168) proposed to replace the original bill. It proposed to require an agent to sell spirits and fortified wine for at least 104% of the price a state store would charge for that product. It also proposed to require an agent to sell its products to on-premise licensees and retail customers for the same price. Under this amendment, the agent would be required to file monthly reports with the Bureau of Liquor Enforcement indicating the price at which it is selling delivered spirits and fortified wine to all licensees and intermittent reports indicating any price changes made by the agent. This amendment would have also added a fiscal note to the bill.

LD 501

An Act to Reform Certain Features of the Clean Election Law

ONTP

<u>Sponsor(s)</u> MILLS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 501 proposed to amend the elections laws in the following ways:

1. Amend the definition of "independent expenditure" to include any public communication made within 60 days prior to an election that casts a candidate, identified by name, in a favorable or unfavorable light.
2. Increase the amount of the qualifying contribution that could be made under the Maine Clean Election Act from \$5 to \$10.
3. Change the date after which a candidate for the Legislature could begin to collect qualifying contributions under the Maine Clean Election Act from January 1st of the election year to December 15th of the year immediately preceding the election year.

LD 520

**An Act Concerning Small Breweries That Are Licensed to Serve
Liquor on Premises**

ONTP

<u>Sponsor(s)</u> COWGER DAGGETT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 520 proposed to amend the law governing a licensee who is licensed to operate a small brewery and is licensed to sell liquor for on-premises consumption. This bill proposed to change current law by permitting patrons of the establishment licensed to sell liquor for on-premises consumption to receive tours of the brewery from the licensee or the licensee's employees and sample the brewery product as provided by current law. Under this bill, as proposed, liquor could not be sold to patrons while on a tour of the brewery.

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LD 528

An Act to Amend the Beano and Games of Chance Laws

PUBLIC 342

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIZMAR MARTIN	OTP-AM	H-526

LD 528 proposed to amend the licensing laws for beano and games of chance as follows.

1. It proposed to clarify the Chief of the State Police's authority to appoint a designee to deal with beano and games of chance licensing matters.
2. It proposed to clarify that the grounds for refusal to issue a license and the grounds for suspension or revocation of a license are consistent with each other.
3. It also proposed to give the Chief of the State Police the authority to issue subpoenas for investigations and hearings pertaining to beano and games of chance.

Committee Amendment "A" (H-526) clarified that the State Police may not use a subpoena to initiate an investigation. It may only be used when there is reasonable cause to believe a violation has occurred.

Enacted law summary

Public Law 2001, chapter 342 specifies that the Chief of the State Police may appoint a designee to administer licensing matters regarding beano and games of chance. It also provides that the State Police may refuse to issue a beano or games of chance license if the applicant fails to meet the statutory requirements for licensure or violates the law pertaining to beano and games of chance. Finally, this law gives the Chief of the State Police the authority to issue subpoenas for investigations and hearings pertaining to beano and games of chance as long as the subpoena is not used to initiate the investigation.

LD 537

An Act to Require the State to Pay for Veterans' Obituaries and State Flags

DIED BETWEEN
BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP KILKELLY	ONTP MAJ OTP-AM MIN	

LD 537 proposed that the State provide for the cost of the obituary notices and state flags on behalf of deceased eligible veterans.

Committee Amendment "A" (H-317) proposed to change the original bill by requiring the State to pay the cost of obituaries that include a flag graphic on behalf of eligible veterans. It also proposed to clarify that this requirement apply only to obituaries printed in the State.

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LD 550 **Resolve, to Amend the National Guard Education Assistance Pilot Program** **RESOLVE 20 EMERGENCY**

<u>Sponsor(s)</u> FISHER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-232
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LD 550, a resolve, proposed to amend the National Guard Education Assistance Pilot Program by granting a tuition grant to a National Guard member who attends a private college or university up to 100% of the private college or university tuition or the tuition at a state postsecondary education institution, whichever is less.

Committee Amendment "A" (H-232) changed the tuition rate benchmark from any state postsecondary education institution to the University of Maine for determining tuition reimbursement for National Guard members who attend accredited private colleges or universities.

Enacted law summary

Resolve 2001, chapter 20 expands the National Guard Education Assistance Pilot Program to provide for a tuition grant to a National Guard member who attends a private college or university. The amount of reimbursement would be the lesser of the tuition rate at the University of Maine or the lesser of the rate at the private college or university.

Resolve 2001, chapter 20 was passed as an emergency measure effective May 15, 2001.

LD 563 **An Act to Require Towns to Process Initiative and Referendum Petitions within One Week of Delivery** **ONTP**

<u>Sponsor(s)</u> MICHAEL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 563 proposed to require municipalities to process local or state initiative and local referendum petitions within one week after delivery.

LD 564 **An Act to Encourage Indelible Ballot Markings** **ONTP**

<u>Sponsor(s)</u> MICHAEL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 564 proposed to prohibit clerks from sending out pencils with absentee ballots.

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LD 565 **An Act to Discourage Drunken Driving** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

LD 565 proposed to prohibit a person licensed to sell beer and wine for consumption off of the licensed premises for less than 5% over the wholesale price. It also proposed to require that the licensee sell malt liquor packaged only in a 6-pack or case.

LD 569 **An Act to Preserve the Integrity of the Polling Place by Limiting the Physical Presence of Candidates** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

LD 569 proposed to limit a candidate's activities at polling places to voting. As proposed, the candidate would be prohibited from stating the name of the office sought by the candidate or requesting a person's vote within 250 feet of the polling place or registrar's office.

LD 574 **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Number of Signatures Required for Citizen Initiatives** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

LD 574 proposed to amend the Constitution of Maine to require that the number of signatures required on a petition to directly initiate legislation be not less than 6% of the total vote for Governor cast in the last gubernatorial election. The currently required percentage is 10%.

LD 575 **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow Maine Citizens to Propose Constitutional Amendments by Initiative** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

LD 575 proposed to amend the Constitution of Maine to permit citizens to initiate amendments to the Constitution of Maine. Under this bill, as proposed, a citizen-initiated amendment to the Constitution requires approval by 2/3

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of the voters at a referendum, ratification by a majority of the Legislature and the signature of the Governor. It also proposed to specify that the Governor's veto of the amendment to the Constitution may be overridden by a majority vote in both Houses.

LD 580 **An Act to Prohibit Collection of Referendum Signatures on the Day of State Elections** **ONTP**

<u>Sponsor(s)</u> STANLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 580 proposed to prohibit the collection of referendum signatures on the day of state-wide elections.

LD 623 **An Act to Require Election Law Training to Voter Registrars and Clerks** **PUBLIC 415**

<u>Sponsor(s)</u> TESSIER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-503 S-326 GOLDTHWAIT
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LD 623 proposed to require each municipal clerk to attend a training session that is approved by the Secretary of State at least once every 2 years in regard to the conduct of elections.

Committee Amendment "A" (H-503) added a provision to the original bill that requires the Secretary of State to offer regional training sessions at least once every 2 years at no fee. This amendment added a requirement that the registrar of voters attend training once every 2 years and sets a delayed effective date of January 1, 2003.

Senate Amendment "A" to Committee Amendment "A" (S-326) added a mandate preamble.

Enacted law summary

Public Law 2001, chapter 415 requires that each municipal clerk and registrar of voters attend election law training that is approved by the Secretary of State at least once every two years. It also requires the Secretary of State to offer regional training sessions at least once every 2 years at no fee.

Public Law 2001, chapter 415 was passed as a municipal mandate and has an effective date of January 1, 2003.

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LD 624 **An Act to Amend the Clean Election Laws** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER	ONTP	

LD 624 proposed to amend the Maine Clean Election Act by funding some certified candidates in uncontested general elections. Under this bill, in an uncontested general election a certified candidate for the State House of Representatives would receive \$1,500 and a certified State Senate candidate would receive \$5,000.

LD 696 **An Act to Allow for Fair Competition among Maine's Tracks** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER	ONTP	

LD 696 proposed to allow all commercial tracks to conduct live racing whenever any track in the State is simulcasting its races.

LD 729 **An Act to Amend the Laws Governing Presidential Primaries** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER GAGNON	ONTP	

LD 729 proposed to amend the presidential primary process by allowing the parties to choose whether they want a primary or a caucus and allowing unenrolled voters to vote in a primary.

LD 755 **An Act to Clarify Referendum Wording** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHIELDS NUTTING J	ONTP MAJ OTP-AM MIN	

LD 755 proposed to require that the wording of referenda be phrased so that an affirmative vote would be in favor of the subject matter in question rather than in favor of the petitioner's position.

The bill also proposed to require that the wording of referenda on the ballot at a municipal election be phrased so that an affirmative vote would be in favor of the change proposed pertaining to the subject matter in question.

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Committee Amendment "A" (H-505), which was not adopted, proposed to strike the sections that govern the wording of referenda on municipal ballots. It would have retained the provision that governs the wording of referenda on statewide ballots.

LD 763 **An Act to Refine the Maine Clean Election Act** **ONTP**

<u>Sponsor(s)</u> BROOKS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 763 proposed to make the following changes to the Maine Clean Election Act:

1. Eliminate the requirement that a candidate collect qualifying contributions.
2. Reduce by 50% the amount of seed money contributions a candidate could accept.
3. Require that the fair market value of election material and equipment acquired by a candidate in a previous election and used by that candidate in a subsequent election be taken into account when matching funds are awarded.

LD 794 **An Act to Establish a Presumption of Commission of a Civil Violation for Minors Suspected of Consuming Alcohol** **ONTP**

<u>Sponsor(s)</u> DOUGLASS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 794 proposed to establish a presumption that a minor has committed the civil violation of consuming liquor or imitation liquor if a law enforcement officer has probable cause to believe that the minor has consumed liquor or imitation liquor.

LD 835 **An Act to Eliminate Funding for Primary Elections under the Maine Clean Election Act** **ONTP**

<u>Sponsor(s)</u> CRESSEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 835 proposed to eliminate funding for primary elections under the Maine Clean Election Act. It proposed to add this funding to funding for general election races. It also proposed to provide minimum funding of \$4,500 for a contested general election race.

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LD 850

An Act to Place the State in Compliance with the Federal Hatch Political Activity Act

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY DAVIS P	ONTP	

LD 850 proposed to amend state law to comply with the federal Hatch Political Activity Act that prohibits federal employees from engaging in political activity and from being a candidate for public office. As proposed, a state employee could not be a candidate for state or federal office regardless of whether or not the candidate is representing a political party.

LD 867

Resolve, to Establish A Study Commission to Study Redistricting

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	ONTP	

LD 867 was a concept draft pursuant to Joint Rule 208.

This resolve proposed to establish a study commission to study redistricting. Under this resolve, the commission would consist of an equal number of Democrats and Republicans.

LD 901

An Act to Amend the Laws Governing Term Limits

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE DAGGETT	OTP-AM MAJ OTP-AM MIN	

LD 901 proposed to extend the number of years of service authorized under the term limits law from 8 to 12 years for Legislators, the Secretary of State, the Treasurer of State and the Attorney General and from 8 to 12 years for the State Auditor. The bill also proposed to require that the voters of the State vote on this matter at the statewide election held in the year 2001.

Committee Amendment "A" (H-286), which was not adopted, was the majority report of the Joint Standing Committee on Legal and Veterans Affairs. It proposed to remove provisions from the original bill that extend the term limits for the Secretary of State, the Treasurer of State, the Attorney General and the State Auditor. It also proposed to remove the provision that submits the extended term limits proposal to the voters. As proposed, the provisions which extend the number of terms a Legislator may serve from 4 to 6 are maintained.

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Committee Amendment "B" (H-287), which was not adopted, was the minority report of the Joint Standing Committee on Legal and Veterans Affairs. It proposed to strike from the original bill the term limits extension for the Secretary of State, the Treasurer of State, the Attorney General and the State Auditor. It proposed to maintain the term limit extension for Legislators.

House Amendment "A" (H-674), which was not adopted, proposed to replace the bill. Under this amendment:

1. The provisions of the bill increasing the length of term limits for constitutional officers and the State Auditor would have been eliminated;
2. The provisions of the bill extending the limit on terms for state Legislators would have been retained. This amendment proposed to clarify that the increase in term limits from 4 to 6 terms applies to consecutive terms for state Senators and members of the state House of Representatives that begin in the 121st Legislature; and
3. The referendum question would have been amended to apply only to state Legislators.

House Amendment "B" (H-677), which was not adopted, proposed to replace the bill. Under this amendment:

1. The provisions of the bill extending the limit on terms for state Legislators would have been retained, except this amendment proposed to clarify that the increase in term limits from 4 to 6 terms applies only to consecutive terms for state Senators and members of the state House of Representatives that begin in the 121st Legislature;
2. The provisions of the bill increasing the length of term limits for constitutional officers and the State Auditor are eliminated; and
3. The referendum question would have been amended to apply only to state Legislators.

House Amendment "C" (H-686), which was not adopted, proposed to replace the bill. Under this amendment:

1. The provisions of the bill increasing the length of term limits for constitutional officers and the State Auditor would have been eliminated;
2. The provisions of the bill extending the limit on terms for state Legislators would have been retained. This amendment proposed to clarify that the increase in term limits from 4 to 6 terms applies to consecutive terms for state Senators and members of the state House of Representatives beginning in the 121st Legislature, unless the person's 4th consecutive term ended in the 120th Legislature; and
3. The referendum question would have been amended to apply only to state Legislators.

House Amendment "A" to House Amendment "C" (H-692), which was not adopted, proposed to change the referendum question.

House Amendment "D" (H-690), which was not adopted, proposed to repeal term limits subject to approval by the voters at a referendum held in November 2001.

House Amendment "E" (H-703), which was not adopted, proposed to repeal term limits for Legislators subject to approval by the voters at a referendum held in November 2002.

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House Amendment "F" (H-709), which was not adopted, proposed to replace the bill. Under this amendment:

1. The provisions of the bill increasing the length of term limits for constitutional officers and the State Auditor would have been eliminated;
2. The provisions of the bill extending the limit on terms for state Legislators would have been retained. This amendment proposed to clarify that the increase in term limits from 4 to 6 terms applies to consecutive terms for state Senators and members of the state House of Representatives regardless of when their first term began. Under this amendment members of the 120th Legislature would serve a total of 6 terms, regardless of when elected; and
3. The referendum question would have been amended to apply only to state Legislators.

LD 918

An Act to Amend the Public Drinking Law

PUBLIC 139

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PEAVEY	OTP	

LD 918 proposed to amend the law that prohibits drinking in public to allow a conspicuous posting forbidding drinking on state-owned property to serve as a warning, similar to the provisions that currently apply to private or municipal property.

Enacted law summary

Public Law 2001, chapter 139 allows for a conspicuous posting forbidding drinking on state-owned property to serve as a warning, similar to the provisions that apply to private or municipal property.

LD 926

**An Act to Reform the Direct Initiative Process to Eliminate Abuses
and Provide Greater Citizen Input in the Initiative Process**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	ONTP MAJ OTP-AM MIN	

LD 926 proposed to amend the law governing the direct initiative of legislation to require that petitions contain a description of the proposal and statements setting out the environmental and economic impacts. The bill also proposed to require the Secretary of State to give notice to the public to allow input on the wording of the ballot question. The bill would have added an additional 10 days to the whole process before the final wording of the question is given to the applicant to allow for the period of public comment.

Committee Amendment "A" (H-231), which was not adopted, was the minority report of the Joint Standing Committee on Legal and Veterans Affairs. This amendment proposed to strike the provision in the bill that would

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have required that citizen initiative petitions include an economic and environmental impact statement prepared by the Executive Department, State Planning Office. It proposed to retain the provision that would require the Secretary of State to hold a public hearing on the wording of the ballot question.

LD 978 **Resolve, to Create the Commission to Study the Relationship
Between Alcohol Sales and Substance Abuse in the State of Maine** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN J	ONTP MAJ OTP-AM MIN	

LD 978, a resolve, proposed to create the Commission to Study the Relationship Between Alcohol Sales and Substance Abuse in the State of Maine.

Committee Amendment "A" (H-443), which was not adopted, proposed to direct the Substance Abuse Services Commission to study the relationship between alcohol sales and substance abuse.

LD 1034 **An Act to Establish Uniform Election Filing Deadlines for
Legislative and Gubernatorial Candidates** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMPSON DOUGLASS	ONTP	

LD 1034 proposed to make the filing deadlines for legislative and gubernatorial races the same for enrolled and unenrolled candidates.

LD 1035 **An Act to Require Proof of Liquor Liability Insurance Upon
Demand by a Municipality** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMOINE GAGNON	ONTP	

LD 1035 proposed to authorize municipalities and unincorporated places to require from an applicant for a liquor license proof of liquor liability insurance with minimum coverage of \$50,000 before approval of an application for a liquor license is granted. The bill would have required the insurance policy to include a provision that would require the insurer to notify the municipality or unincorporated place of a lapse in coverage. Any lapse in coverage would result in automatic revocation of a liquor license. If the licensee could show proof of new insurance or give good cause as to the reason for the lapse, the revocation would be withdrawn.

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LD 1042

An Act to Amend the Election Laws

PUBLIC 310

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE DOUGLASS	OTP-AM	H-527

LD 1042 proposed to amend the definition of "immediate family" to include grandparents, stepgrandparents, grandchildren and stepgrandchildren and adds 2 new definitions. The bill proposed to clarify the time frames and requirements for party enrollment and the documentation that the registrar of voters must keep for the records of all voters who have not been removed from the voting list. The bill detailed the hearing process and notification that the registrar must follow before removing a voter from the voting list for failure to meet the voting qualifications. This bill also proposed to provide a consistent deadline by which all qualified political parties must hold their biennial municipal caucuses.

The bill proposed that the Secretary of State, rather than the Governor, declares vacancies that require a meeting of a particular political committee to fill the vacancy. This bill proposed to combine into one section of law the basic requirements for the format of a candidate ballot. This bill amends the terminology and explanations for certain types of votes or entire ballots that can not be counted because they are improperly marked or prepared. The bill proposed to provide uniformity in designating which election officials must sign certain election paperwork and permits the municipal clerk to correct obvious errors in the election returns before reporting them to the Secretary of State. The bill proposed that the Secretary of State designs the form of the absentee ballot application and return envelope. This bill also proposed to simplify the deadline by which a 3rd person must return an absentee ballot to the clerk. The bill also proposed to clarify the requirements for the list of absentee voters by combining requirements that are currently found in 2 sections of law. The bill proposed to remove references to obsolete punch card voting systems and provides uniformity in the ballot formats for electronic tabulating systems.

Committee Amendment "A" (H-527) amendment made nonsubstantive, clarifying changes to the original bill.

Enacted law summary

Public Law 2001, chapter 310 makes several changes to the election laws including:

1. Clarifying time frames and requirements for party enrollment;
2. Providing a detailed hearing and notification process that the registrar of voters must follow before removing a voter from the voting list for failure to meet necessary qualifications;
3. Establishing a consistent deadline by which all qualified political parties must hold their biennial municipal caucuses;
4. Specifically designating which election officials must sign certain election paperwork; and
5. Removing obsolete references to punch card voting systems.

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LD 1055

An Act to Regulate Push Polling

PUBLIC 416

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	ONTP MAJ OTP MIN	H-708 TRAHAN

LD 1055 proposed to define "push poll" and require anyone conducting push polling by telephone to disclose who financed the poll and, if the poll is authorized by a candidate, that candidate's name and the office sought by the candidate. As proposed this bill would make a violation of this provision a Class E crime.

House Amendment "A" (H-529), which was not adopted, proposed to specify the minimum number of telephone surveys, depending on the office being sought, that constitutes a "push poll."

House Amendment "B" (H-543), which was not adopted, proposed to change the bill to a resolve and require the Commission on Governmental Ethics and Election Practices to review the disclosure laws under the Maine Revised Statutes, Title 21-A and submit a proposal to include disclosure requirements for push polling to the Second Regular Session of the 120th Legislature.

House Amendment "C" (H-544), which was not adopted, proposed to amend the definition of "push poll." The amendment also proposed to change the disclosure requirements of a person conducting a push poll.

House Amendment "D" (H-545), which was not adopted, proposed to replace the definition of "push poll" provided in the bill. Under this amendment, a "push poll" would be a nonscientific sampling designed to provide information that is negative or derogatory about a candidate or a candidate's family.

House Amendment "E" (H-575), which was not adopted, proposed to amend the definition of "push poll" to apply only to series of contracted telephone calls that are commenced within 17 days prior to an election. This amendment also proposed to specify the number of telephone calls that must be placed in order to come under the definition of "push polling."

House Amendment "F" (H-641), which was not adopted, proposed to change the bill to a resolve and requires the Commission on Governmental Ethics and Election Practices to review the disclosure laws under the Maine Revised Statutes, Title 21-A and submit a proposal to include disclosure requirements for push polling to the Joint Standing Committee on Legal and Veterans Affairs, which would have authority to report out legislation to the Second Regular Session of the 120th Legislature.

House Amendment "G" (H-708) replaced the bill. The amendment defines push polling as a nonscientific survey that, among other requirements, prefaces a question regarding support for a candidate on the basis of an untrue statement and is done primarily for the purpose of suppressing or changing the voting position of the call recipient. The amendment allows a person to conduct push polling as long as the person identifies the person sponsoring the call and states that the call is a paid political advertisement. The amendment requires the person conducting the poll to designate an agent for the purpose of service of process, notice or demand and to register that agent with the Commission on Governmental Ethics and Election Practices and provides a civil forfeiture of up to \$500 for a violation of these provisions.

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Enacted law summary

Public Law 2001, chapter 416 defines "push poll" and requires anyone who conducts a push poll to register with the Commission on Governmental Ethics and Elections Practices and disclose who has sponsored the push poll and the entity conducting it. An entity already lawfully registered to conduct business in the state is not required to register with the commission but is required to disclose a valid, current, publicly listed telephone number and address of the person sponsoring or authorizing the call. An entity that fails to comply with either the disclosure or registration requirements of this law may be assessed a forfeiture of \$500 by the Commission on Governmental Ethics and Election Practices.

LD 1058 RESOLUTION, Proposing an Amendment to the Constitution of DIED BETWEEN
Maine to Revoke Voting Rights of Convicted Felons while in Prison BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	OTP-AM MAJ	
ANDREWS	ONTP MIN	

LD 1058 proposed an amendment to the Constitution of Maine that would have revoked the right of a person convicted of murder or a Class A, B or C crime to vote while that felon is imprisoned.

**LD 1076 Resolve, Authorizing Arnold Smith to Sue the State DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN J	OTP-AM MAJ ONTP MIN	

LD 1076 proposed to authorize Arthur Smith as personal representative of the estate of Kristen Smith to sue the State for damages resulting from the murder of Kristen Smith by an individual under the supervision of the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Corrections. The resolve would have allowed the State to be sued for up to \$200,000.

Committee Amendment "A" (H-388) was the majority report of the committee. The amendment proposed to remove the Department of Mental Health, Mental Retardation and Substance Abuse Services as a party to the lawsuit and prohibit any recovery of punitive damages. The amendment also proposed to clarify how the amount of any recovery would be distributed and would have required that the action be heard by a Justice of the Superior Court. The amendment also would have added a fiscal note to the resolve.

Committee Amendment "A" was adopted in the House, but was not adopted in the Senate. The resolve died between the bodies.

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LD 1101 **An Act to Bring Fairness to the Maine Clean Elections Act** **ONTP**

<u>Sponsor(s)</u> MENDROS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1101 proposed that if a candidate certified under the Maine Clean Election Act receives a contribution or expenditure that which would constitute an independent expenditure under the Maine Revised Statutes, Title 21-A, section 1019, that candidate's opponent could raise and spend an equivalent amount without triggering matching funds.

LD 1104 **An Act to Provide Fairness in Lottery Ticket Sales** **ONTP**

<u>Sponsor(s)</u> MENDROS WOODCOCK	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1104 proposed to allow the Director of Alcoholic Beverages and Lottery Operations to issue licenses as an agent to sell lottery tickets to anyone who meets the requirements no matter how close the new location would be to any existing licensed location.

LD 1106 **An Act to Bring Parity to the Candidate Signature Requirement** **ONTP**

<u>Sponsor(s)</u> MICHAEL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1106 proposed to permit a candidate for State Senator or State Representative to collect signatures for a primary election from voters in the candidate's electoral district regardless of that voter's party enrollment as long as the candidate collects twice the amount required by current law.

LD 1112 **An Act to Allow Oral Campaigning by Candidates at the Polls** **ONTP**

<u>Sponsor(s)</u> MICHAEL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1112 proposed to repeal the provision that prohibits candidates from campaigning orally at the polls.

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LD 1126 **An Act to Provide a Standard Residency Requirement for the Purpose of Registering to Vote** **ONTP**

<u>Sponsor(s)</u> CRESSEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1126 proposed to provide that a person must establish and maintain residency in a municipality for at least 30 days before an election in order for that person to register to vote in that municipality.

LD 1150 **An Act to Prohibit Campaign Signs Within 750 Feet of a Polling Place** **ONTP**

<u>Sponsor(s)</u> JONES		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1150 proposed to increase the distance any political advertising material could be placed near the entrance to either the voting place or the registrar's office from 250 feet to 750 feet. It also proposed to specify that a voter could not wear clothing bearing a candidate's name at the polls.

LD 1160 **An Act for Public Disclosure of Referendum Question Submissions** **ONTP**

<u>Sponsor(s)</u> MARTIN DAIGLE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1160 proposed to require the Secretary of State to send a booklet to every registered voter in the State detailing the language of a citizen initiated petition, providing an analysis of tax and fiscal consequences and the effect on existing law, and including statements for and against every direct initiative question that would appear on the ballot at the next statewide election.

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LD 1185

**An Act to Amend the Liquor Laws to Expand Employment
Opportunities for Adults 18 to 21 Years of Age**

ONTP

Sponsor(s)
GLYNN

Committee Report
ONTP

Amendments Adopted

LD 1185 proposed to decrease to 18 years of age the age at which a person could sell malt liquor or wine and function as a supervisor to someone between the ages of 17 and 18 years old. This bill also proposed to require all employees who are less than 21 years old, prior to being allowed to sell malt liquor or wine, to take and pass a class offered by the Department of Public Safety, Bureau of Liquor Enforcement on recognizing fake identification, the laws regarding sales of liquor and the penalties for failing to abide by those laws.

Current law permits a person more than 17 years of age but less than 21 years of age to sell malt liquor and wine only if in the presence of a supervisor who is at least 21 years of age.

LD 1201

**An Act to Require the State to Provide Flags for Persons Who Are
Listed on the Law Enforcement Memorial Located on State Street
in Augusta**

PUBLIC 309

Sponsor(s)
DAVIS P
NORBERT

Committee Report
OTP-AM

Amendments Adopted
S-192

LD 1201 proposed to authorize the Commissioner of Public Safety to provide a flag for the grave sites of certain public servants who are listed on the memorials located at the State Capitol complex memorial site.

Committee Amendment "A" (S-192) replaced the original bill and required the Commissioner of Public Safety to provide flag holders and Maine flags for the gravesites of the officers listed on the law enforcement memorial, located in the State Capitol complex memorial site, if the gravesites can be reasonably found. This amendment also established the Flags For Public Servants Fund, to fund the costs of providing the flags and flag holders. It also required that this fund be the sole revenue source for the flag and flag holder purchases. This amendment also required that the agency that represents the slain officer place the flag holder and flag at the gravesite and if this can not be done, then the commissioner may designate the Bureau of State Police to place the flag holder and flag at the gravesite.

This amendment also adds an allocation section and a fiscal note to the bill.

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Enacted law summary

Public Law 2001, chapter 309 requires the Commissioner of Public Safety to provide flag holders and Maine flags for the gravesites of the officers listed on the law enforcement memorial, located in the State Capitol complex memorial site, if the gravesites can be reasonably found. It establishes the Flags For Public Servants Fund, to fund the costs of providing the flags and flag holders and it also requires that this fund be the sole revenue source for the flag and flag holder purchases. Public Law 2001, chapter 309 also requires that the agency that represented the slain officer place the flag holder and flag at the gravesite.

LD 1202

An Act to Allow Families to Request Flags for Deceased Police Officers and Firefighters that have not Died in the Line of Duty

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P NORBERT	ONTP MAJ OTP-AM MIN	

LD 1202 proposed to authorize the Commissioner of Public Safety to present a state flag to the family of a deceased firefighter or law enforcement officer.

Committee Amendment "A" (S-166), which was not adopted, proposed to clarify the size of the flag the Commissioner of Public Safety would be required to present to the family of a deceased firefighter or law enforcement officer upon request by the family of the deceased.

LD 1228

An Act to Support the Right to Associate

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

Current law states that a party is eligible to nominate a candidate in an election if, among other things, the party's candidate for Governor or President received at least 5% of the total vote cast in one of the 2 preceding general elections. Current law also states that a party may nominate a candidate if the party, among other things, files a petition signed by the number of citizens equal to 5% of the total vote cast for Governor in one of the 2 preceding gubernatorial elections. LD 1228 proposed to lower those thresholds from 5% to one percent.

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LD 1232

An Act to Increase the Prize Limit for Games of Chance at Beano Games

ONTP

Sponsor(s)
POVICH

Committee Report
ONTP

Amendments Adopted

LD 1232 proposed to exempt prizes from games of chance from the \$1,400 prize limit at beano or bingo games. It also proposed to permit licensees to conduct most games of chance within one hour of a beano or bingo game and would have directed the Department of Public Safety to create a standing advisory committee consisting of nonprofit organizations that conduct bingo or beano games or other games of chance to represent the interests of those organizations to the Department of Public Safety.

LD 1242

An Act to Allow Telephone Wagering for Horse Racing

**DIED BETWEEN
BODIES**

Sponsor(s)
TESSIER

Committee Report
ONTP MAJ
OTP-AM MIN

Amendments Adopted

LD 1242 proposed to allow a commercial track to accept wagers on races conducted at that track over the telephone, but only from individuals with prefunded accounts established at the track.

Committee Amendment "A" (H-504), which was not adopted, proposed to allow licensed off-track betting facilities and any facilities licensed to conduct simulcast racing to conduct telephone wagering on races. The amendment would have added a minimum deposit requirement and stated that accounts could be established only by residents of this State. The amendment also proposed to clarify that telephone account wagers could not be placed using a credit card.

LD 1249

An Act Regarding Registration of Voters on Election Day

ONTP

Sponsor(s)
LESSARD

Committee Report
ONTP

Amendments Adopted

LD 1249 proposed to provide a registrar of voters of a municipality the sole discretion to determine whether a person who seeks to register to vote on election day has shown satisfactory proof of identity and residency.

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LD 1250

An Act to Amend the Laws Governing Registration of Voters

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY	ONTP MAJ	
WOODCOCK	OTP-AM MIN	

LD 1250 proposed to require that a person register to vote not later than 30 days before an election.

Committee Amendment "A" (H-387), which was not adopted, proposed to decrease the amount of time before an election in which a person would be allowed to register to vote from 30 days, as proposed by the original bill, to 48 hours. As with the original bill, this amendment proposed to remove the provisions in the Maine Revised Statutes, Title 21-A that permit election day registration of voters.

LD 1273

An Act to Repeal the Presidential Preference Primary Elections

DIED BETWEEN
BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	OTP MAJ	
WOODCOCK	OTP-AM MIN	

LD 1273 proposed to repeal the presidential preference primary elections process.

Committee Amendment "A" (H-556), which was not adopted, was the minority report of the Committee on Legal and Veterans' Affairs. It proposed to amend the presidential preference primary process by allowing political parties to choose whether they want a primary or a caucus. This bill also proposed to permit the parties to determine whether their candidates are nationally advocated or recognized as a presidential candidate in order for their names to be placed on the ballot. The amendment also proposed to repeal the provision allowing a candidate to appear on a presidential preference primary ballot by petition.

Senate Amendment "A" (S-317), which was not adopted, proposed to replace the original bill and provide that when the state committee of a political party certifies that there is a contest among candidates for nomination as the presidential candidate of the party and has notified the State of its intent to participate in a presidential primary election, the State shall hold a presidential primary election.

LD 1296

An Act to Permit the Purchase of Wine by Mail Order

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER	ONTP	

LD 1296 proposed to allow an out-of-state shipper to ship up to 24 bottles of wine per month directly to a resident of this State who is 21 years of age or older for that resident's personal use.

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LD 1307 **An Act to Amend the Lobbyist Disclosure Procedures Laws** **ONTP**
Administered by the Commission on Governmental Ethics and
Election Practices

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP	

LD 1307 proposed to amend the definition of "lobbying" and define the term "pecuniary benefit." The bill proposed to clarify what names should be included on registration forms. The bill also would have specified that the specific dollar amount of compensation received for the time spent to make a presentation should be included in monthly reports. The bill proposed to prohibit a lobbyist from giving, offering or promising a contribution to the Governor, a member of the Legislature or a constitutional officer while the Legislature is in session.

LD 1321 **An Act to Change the Status of the Discount State Liquor Store in** **INDEF PP**
Calais

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON	OTP-AM	

LD 1321 proposed to remove the discount store status from the state liquor store located in Calais.

LD 1323 **An Act to Shorten the Period in which the Bureau of Liquor** **ONTP**
Enforcement Acts on Appeals

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	ONTP	

LD 1323 proposed to require the Department of Public Safety, Bureau of Liquor Enforcement to hold a hearing on an appeal of a liquor license denial by a municipality within 60 days of the filing of the appeal.

LD 1337 **An Act to Hold Petition Circulators to the Same Standards as** **DIED IN**
Political Candidates **CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERDIERE	ONTP MAJ	
KILKELLY	OTP-AM MIN	

LD 1337 proposed to prohibit the circulator of a direct initiative petition from presenting any such petition and requesting voter signatures in the voting place or within 250 feet of the entrance to the voting place.

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Committee Amendment "A" (H-642), which was not adopted, proposed to change the bill title and proposed to prohibit the collection of direct initiative petition signatures within 50 feet of a voting place if approved by the voters via a referendum to be on the ballot in November 2002.

LD 1340 **An Act to Hold an Advisory Referendum on Term Limits** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE DOUGLASS		

LD 1340, which was carried over to the Second Regular Session, proposed to direct the Secretary of State to hold an advisory referendum at a statewide election to determine whether the voters of the State favor amending or repealing the existing state law limiting the terms of Legislators.

LD 1350 **An Act to Amend the Laws Governed by the Commission on
Governmental Ethics and Election Practices** **PUBLIC 430**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-602

LD 1350 proposed to amend the provisions governing reports by political action committees by:

1. Indicating when changes to a registration form must be reported to the Commission on Governmental Ethics and Election Practices;
2. Changing the penalty from \$100 to \$200 for violation of the attribution requirements for political action committees;
3. Enacting requirements for the appointment of treasurer and record keeping by the treasurer;
4. Setting up guidelines for the dissolution of a political action committee; and
5. Authorizing the Commission on Governmental Ethics and Election Practices to assess a penalty equal to 3 times the amount of an unlawful contribution for violation of the Maine Revised Statutes, Title 21-A, chapter 13, subchapter IV.

Committee Amendment "A" (H-602) replaced the original bill and made several technical changes to the laws governed by the Commission on Governmental Ethics and Election Practices by deleting obsolete language and outdated references and correcting cross-references. It removed as one of the duties of the commission that it make findings of fact and opinion on the final determination of the results of commission investigations of violations of the campaign finance reporting laws. It specified that alimony payments and recorded campaign

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contributions are not considered income for the purposes of reporting. It also specified that the annual report required of lobbyists must include a separate listing of legislative actions for the past calendar year.

Enacted law summary

Public Law 2001, chapter 430 makes several technical changes to the laws governed by the Commission on Governmental Ethics and Election Practices, deleting obsolete language and outdated references and correcting cross-references. It removes as one of the duties of the commission that it make findings of fact and opinion on the final determination of the results of commission investigations of violations of the campaign finance reporting laws. It specifies that alimony payments and recorded campaign contributions are not considered income for the purposes of reporting. It also specifies that the annual report required of lobbyists must include a separate listing of legislative actions for the past calendar year. Public Law 2001, chapter 430 amends the law regarding the publication and distribution of statements by political action committees to be consistent with Yes for Life Political Action Committee v. Webster.

LD 1351	An Act to Amend Provisions Governing Reports on Campaigns for Office in the Laws Administered by the Commission on Governmental Ethics and Election Practices	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1351 proposed to amend the provisions governing reports on campaigns for office in the laws administered by the Commission on Governmental Ethics and Election Practices. The bill also proposed to define personal expenses. The bill would have clarified that contributions made by a husband and wife are separate contributions. The bill also proposed to set a limit of \$10 as an anonymous contribution that a candidate may accept. The bill would have prohibited the use of campaign contributions for personal expenses. The bill also proposed to provide that if the state party committee does not notify all county, district and municipal committees of reporting dates, it must pay 1/2 of the penalty for not reporting.

LD 1352	Resolve, Authorizing the Adjutant General to File a Finalized Declaration of Covenants and Restrictions with the Kennebec County Registry of Deeds in the Veterans' Memorial Cemetery Located on the Mount Vernon Road in Augusta	RESOLVE 24
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<u>Sponsor(s)</u> DOUGLASS BROOKS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-131
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LD 1352, a resolve, proposed to authorize the Adjutant General to convey interest in land that was conveyed to the State to the Department of Environmental Protection for the Veterans' Memorial Cemetery.

Committee Amendment "A" (S-131) made technical changes to the resolve.

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Enacted law summary

Resolve 2001, chapter 24 authorizes the Adjutant General to convey interest in land that was conveyed to the State to the Department of Environmental Protection for the Veterans' Memorial Cemetery.

LD 1369

An Act to Amend the Laws Regarding Investigations by the Commission on Governmental Ethics and Election Practices

PUBLIC 237

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN	OTP MAJ	
BROMLEY	ONTP MIN	

LD 1369 proposed to amend the laws governing investigations of campaign reports and finances by the Commission on Governmental Ethics and Election Practices to require the commission to keep confidential a request for an investigation filed within 10 business days prior to the election and that a request must be held confidential until the commission makes a final determination on the request.

Enacted law summary

Public Law 2001, chapter 237 requires the Commission on Governmental Ethics and Election Practices to keep requests for investigations regarding campaign reports and finances confidential when filed within 10 days of an election. Such a request must be held confidential until the commission makes a final determination on the request.

LD 1373

An Act to Amend the Laws Governing Lobbyists and the Laws Administered by the Commission on Governmental Ethics and Election Practices

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN	ONTP	

LD 1373 proposed to remove old language and would have removed language that states that the Commission on Governmental Ethics and Election Practices has the responsibility to investigate and make findings on contested elections. This bill also proposed to provide that funds from the Maine Clean Election Fund and other sources that could benefit from the commission's acquisition and use of an electronic data collection and disclosure system be used to provide for enhanced monitoring and enforcement of election practices and to support instituting electronic submission of reports. The definition of "income" would have been amended by this bill to exclude alimony and legally reported campaign contributions. The definition of "lobbying" would also have been amended to include the time spent waiting to meet with the Governor, a Legislator or a legislative committee on behalf of the lobbyist's employer, and the lobbyist would have been required to report this time to the Commission on Governmental Ethics and Election Practices. Finally, the bill proposed to prohibit a lobbyist from offering a contribution to the Governor, a Legislator, a constitutional officer or their staff during any time the Legislature is convened.

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LD 1382

**An Act to Permit Internet-based Communications to Facilitate the
Purchase and Distribution of Wine**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT NORBERT	ONTP	

LD 1382 proposed to permit the interstate shipment of wine ordered via the Internet. Under this bill, wine shipped into the State would be delivered to a wholesaler or certificate of approval holder licensed by the Department of Public Safety, Bureau of Liquor Enforcement. As proposed, the wholesale licensee or the certificate of approval holder could deliver the wine to an off-premises licensee. The off-premises licensee could deliver the wine to a person within the State who is at least 21 years of age as proposed by this bill.

LD 1389

Resolve, to Study the Various Types of Ballots Used in the State

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

LD 1389 was a concept draft pursuant to Joint Rule 208.

This resolve proposed to establish a study commission to examine the types of ballots used in the State. Other ballot-related issues included in the study were:

1. The ease of use of ballots;
2. The accuracy of the ballots;
3. The methods and problems with counting ballots; and
4. The methods and problems involving recounts of ballots.

LD 1415

An Act to Amend the Laws Regarding Harness Racing

**PUBLIC 300
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIZMAR KNEELAND	OTP-AM	H-441

LD 1415 proposed to allow a new commercial harness horse racing track to open and participate in the various funds in the event an existing track goes out of business. The bill also proposed to provide for payment to a

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racetrack in the State that provided a simulcast signal to other racetracks in the State for the purpose of supplementing the purses at the originating racetrack.

Committee Amendment "A" (H-441) struck the changes made to the definition of "commercial track" in the original bill. It retained the section of the original bill that specified that the horsemen's purse share of the harness racing handle on simulcast races is distributed to the track in the state where the race was actually run. The amendment states that the minimum payoff on a show wager must be 5% above the amount wagered. It also clarified the section of law that governs the off-track betting simulcast fund by stating that only exotic wagers are factored into the formula that apportions the fund.

Enacted law summary

Public Law 2001, chapter 300 specifies that the horseman's purse share of the harness racing handle on simulcast races is distributed to the track where the race was actually run. It also states that the minimum payoff on a show wager must be 5% above the amount wagered.

Public Law 2001, chapter 300 was enacted as an emergency measure effective May 29, 2001.

LD 1446 **An Act to Require Political Workers to Wear Name Tags and to Identify Themselves as Political Workers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

LD 1446 was a concept draft pursuant to Joint Rule 208.

This bill proposed to require political workers to wear name tags that read either: "Paid to Campaign" or "Paid Staff." This bill would have also required political workers to identify themselves as paid staff when making phone calls or otherwise contacting the public.

LD 1447 **An Act to Protect Off-track Betting Facilities** **PUBLIC 320**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MENDROS ROTUNDO	OTP-AM	H-481

LD 1447 proposed to repeal the limitation on off-track betting facilities that requires at least 150 race dates conducted at commercial tracks during the preceding year in order to license the facility.

Committee Amendment "A" (H-481) amended current law by permitting an off-track betting facility to simulcast interstate races if there were 150 live races conducted at the State's commercial tracks during the 2 preceding calendar years. Current law states that they can simulcast races only if the commercial tracks had 150 live races during the last calendar year.

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Enacted law summary

Public Law 2001, chapter 320 eases the limitation on off-track betting facilities that simulcast interstate races. Prior to enactment of this law, off-track betting facilities could simulcast interstate races only if there were 150 live races conducted at the state's commercial tracks during the previous calendar year. Public Law 2001, chapter 320 permits an off-track betting facility to simulcast interstate races if the state's commercial tracks conducted 150 live races during the preceding two calendar years.

LD 1460

An Act to Establish a Deadline for New Voter Registrations

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH WOODCOCK	ONTP	

LD 1460 proposed to require that a person register to vote not later than 10 days before an election.

LD 1495

An Act to Establish the Maine Military Authority

**PUBLIC 374
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS BELANGER	OTP-AM	S-246

LD 1495 was a concept draft pursuant to Joint Rule 208. It proposed to establish the Maine Military Authority under the Department of Defense, Veterans and Emergency Management, Military Bureau to operate the Loring Rebuild Center located at the former Loring Air Force Base.

Committee Amendment "A" (S-246) amended the concept draft and established the Maine Military Authority to operate and expand the existing Maine Readiness Sustainment Maintenance Center now located at the former Loring Air Force Base.

This amendment provided several transition provisions applicable to employees of the Maine Military Authority. The amendment provided that employees who are hired after the effective date of this law have the same rights and benefits as transferred employees, with the exception that transferred employees retain certain limited residual rights within the executive branch. The amendment provided that employees hired before and after the establishment of the authority are members of the state employee health plan and the regular state employee plan of the Maine State Retirement System.

Enacted law summary

Public Law 2001, chapter 374 establishes the Maine Military Authority under the Department of Defense, Veterans, and Emergency Management. The Maine Military Authority will operate the existing Maine Readiness

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Sustainment Maintenance Center located at the former Loring Air Force Base. The primary purpose of the authority is to maintain, rebuild, repair, store and manufacture equipment for the state, the United States Departments of Army, Air Force, Navy, Treasury and for foreign governments in conjunction with the Foreign Military Sales Program of the United States Department of Defense. This state operation is completely reimbursed with federal funds.

Revenue generated by the Authority must be first used to support the Authority. Other unexpended balances may be transferred to any other non-General Fund state account of the Military Bureau including but, not limited to, capital repair and maintenance of state armories and Maine National Guard Tuition Assistance. The Authority may acquire public and private monies and property.

Employees of the former Maine Readiness Sustainment Maintenance Center shall be transferred to the Maine Military Authority and are members of the Maine State Retirement System and the state employee health plan. Employees of the Authority are not subject to the civil service laws but are state employees.

Books and records of the authority are confidential but subject to audit and open for inspection by the state and federal governments.

Public Law 2001, chapter 374 was enacted as an emergency measure effective June 8, 2001.

LD 1517 **Resolve, to Create a Commission to Review the Landlord-tenant Laws in the State** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	OTP-AM MAJ ONTP MIN	S-229

LD 1517 proposed to create a commission to review and recommend updates of the landlord-tenant laws in the State.

Committee Amendment "A" (S-229) proposed to clarify that the 3 members of the Commission to Review Landlord-tenant Laws established in this resolve that are landlords and the 3 members that are tenants can either be landlords or a representative of a landlord or tenants or a representative of the tenant.

The bill was enacted in the House but died in the Senate on the Appropriations Table upon adjournment.

LD 1518 **RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Direct Initiative of Legislation** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY TUTTLE	ONTP	

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LD 1518, a constitutional resolution, proposed to provide that 50% of the required number of signatures of electors for a direct initiative of legislation should be signatures of electors who are qualified to vote in the Second Congressional District. It also proposed to require that the Legislature, after a failure to enact a direct initiative without change and before this initiative could be submitted to the electors, hold 6 public hearings on this initiative. As proposed, three of these hearings would be held in the First Congressional District, and 3 of these hearings would be held in the Second Congressional District.

LD 1526 An Act to Institute a Citizens' Guide to Elections

ONTP

<u>Sponsor(s)</u> NORBERT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1526 proposed to require the Secretary of State to produce and distribute a guide for voters prior to every election. As proposed, this guide would contain objective information about referenda and candidates, including, but not limited to, information regarding the policies of the candidates.

LD 1529 An Act to Improve Elections

ONTP

<u>Sponsor(s)</u> SCHNEIDER TURNER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1529 proposed to make the following changes to the laws governing elections:

1. A student could not gain residency in the municipality in which that student's school is located, unless that student resided there prior to attending that school.
2. A person who establishes residence by affidavit would be required to show adequate proof of identification to the registrar when that person registers to vote.
3. Each municipal clerk would be required to attend a training session at least once every 2 years in regard to the conduct of elections.

LD 1532 An Act to Amend the Governmental Ethics Laws Administered by the Commission on Governmental Ethics and Election Practices CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1532, which was carried over to the Second Regular Session proposes to amend the governmental ethics laws. The bill proposes to define "anything of value," "associated" and "employer of another." The bill also proposes to

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amend the definition of "gift" by excluding informational material, a publication and a meal, under certain circumstances, from the definition of "gifts." The bill proposes to define "information program," "organization" and "reportable liability." The bill also proposes to amend the standards of conduct expected from a Legislator and clarify what is considered a conflict of interest, how complaints are to be filed and handled, what financial information must be disclosed by a Legislator, what is a reportable liability and for how long income statements must be retained. The bill also proposes to state what constitutes a violation of the ethics laws.

LD 1544

An Act to Enhance Penalties for Use of Illegal Gambling Machines

PUBLIC 461

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP-AM MAJ ONTP MIN	S-228 S-395 GOLDTHWAIT

LD 1544 proposed to establish a harness racing lottery game and Harness Racing Purse Fund to improve harness racing purses. This bill also proposed to define illegal gambling machines and provide that illegal gambling machines and their monetary contents are subject to seizure and forfeiture in both civil and criminal proceedings. As proposed by this bill, seizure may be pursuant to court process or without process if the seizure is incident to a search that is in conformity with constitutional requirements governing searches and seizures.

Committee Amendment "A" (S-228) clarified the definition of "illegal gambling machine" to exclude machines operated by the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services. It also added an allocation section and a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-395) removed the language that proposed to establish the Harness Racing Purse Fund. It struck the language that proposed to require the State Harness Racing Commission to develop and initiate a harness racing lottery game. It struck the language that proposed to allow the Maine State Lottery Commission to appropriate funds to the Harness Racing Purse Fund from the State Lottery Fund and strikes the allocation section.

Enacted law summary

Public Law 2001, chapter 461 defines illegal gambling machines and provides that illegal gambling machines and their monetary contents are subject to seizure and forfeiture in both civil and criminal proceedings. Seizure may be pursuant to court process or without process if the seizure is incident to a search that is in conformity with constitutional requirements governing searches and seizures.

LD 1608

An Act to End Discrimination Against Veterans

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MENDROS SHOREY	ONTP	

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LD 1608 proposed to remove the requirement that members of the Maine State Retirement System joining after January 1, 1976 should have served in a federally recognized period of conflict to be eligible to purchase military service credits. It proposed to expand eligibility for the veterans' property tax exemption and remove from statute eligibility requirements related to federally recognized periods of war. It also proposed to make all honorably discharged veterans who are 62 years of age or older eligible for the veterans' property tax exemption that would have been authorized by this bill. The bill also would have required the Department of Administrative and Financial Services, Bureau of Revenue Services to notify each municipality of this expanded eligibility at least 60 days prior to the beginning of the first property tax year to which this expanded eligibility would have applied.

LD 1615 **An Act to Provide Pricing Options to Agency Liquor Stores** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY	ONTP	

LD 1615 proposed to remove the requirement that agency liquor stores must sell liquor based on a price established by the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services.

LD 1619 **Resolve, to Establish a Commission to Study Maine's Election Procedures and Voting Laws** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHIELDS TURNER	ONTP	

LD 1619, a resolve, proposed to establish the Commission to Study Maine's Election Procedures and Voting Laws. The commission would have been charged with reviewing the laws governing election procedures and voting in this State, developing recommendations to improve those laws and reporting to the Second Regular Session of the 120th Legislature.

LD 1686 **An Act to Amend the Laws Governing Elections** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL ABROMSON	ONTP	

LD 1686 proposed to require the Secretary of State to maintain a central voting list for the State and to update the list at least once a year by requesting the voting list from the registrar of every municipality in the State. This bill would have required a registrar to furnish the voting list for the registrar's municipality to the Secretary of State upon request from the Secretary of State. The bill proposed to require each municipal clerk or the clerk's designee to attend a training session that would be approved by the Secretary of State at least once every 2 years in regard

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to the conduct of elections. The bill also proposed to require polls to be opened no later than 7 a.m. on election days, except that in a municipality with a population of less than 100, the polls should be opened no later than 10 a.m.

Committee Amendment "A" (H-386), which was not adopted, proposed to strike all of the original bill except for the requirement that all polling places open no later than 7 a.m. As proposed by this amendment municipalities with a population of less than 100 could open their polls at 10 a.m. The amendment also would have added a mandate preamble and a fiscal note to the bill.

LD 1704 **An Act to Clarify the Activities of Membership Organizations in Maine** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE	ONTP MAJ	
DOUGLASS	OTP MIN	

LD 1704 proposed to amend the laws governing campaign finance reports and finances to specify that compensation paid by a "membership organization" to an employee for certain campaign related activities would not be considered either a contribution or a political expenditure.

LD 1711 **An Act to Amend the Maine Clean Election Laws** **PUBLIC 465**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM MAJ	S-308
TUTTLE	ONTP MIN	

LD 1711 proposed to expand the scope of reporting for independent electioneering expenditures and clarify which expenditures trigger matching funds under the Maine Clean Election Act. It proposed to extend the qualifying period from March 16th to April 15th for those intending to be participating candidates under the Maine Clean Election Act. It also proposed to strike language that states that the primary purpose of seed money is to enable a candidate to collect qualifying contributions. The bill proposed to permit participating candidates to pay the fees for money orders donated by contributors as long as those fees are reported. It also proposed that money from the Maine Clean Election Fund may be distributed to participating candidates in uncontested general elections in an amount equal to 1/3 of the amount distributed for contested races.

Committee Amendment "A" (S-308) removed the provisions in the original bill that created the definition of independent electioneering and established reporting requirements for independent electioneering expenditures. It changed the distribution amount that the original bill provided for Maine Clean Election Act candidates in uncontested general elections from 1/3 to 40% of the amount distributed to Maine Clean Election Act candidates in contested general elections. The amendment specified that rules of the commission governing qualifying contributions, certification of Maine Clean Election Act candidates, distribution of fund revenues to certified candidates and the disposition of equipment purchased with clean election funds are major substantive rules.

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Enacted law summary

Public Law 2001, chapter 465 provides for several changes to the Maine Clean Election Act. It expands the period in which a gubernatorial or legislative candidate may qualify as a participating candidate in the Maine Clean Election Act by one month. It also permits a candidate collecting the \$5 contributions required to qualify as a participating candidate in the Maine Clean Election Act to pay the fee for a money order that is a \$5 qualifying contribution.

This law provides funding for participating candidates who are uncontested in a general election. These candidates will receive 40% of the amount of the distribution from the Maine Clean Election Fund received by a participating candidate running for a seat in the same body of legislature who is opposed. It also requires the Commission on Governmental Ethics and Election Practices to adopt rules regarding the disposition of property purchased with Maine Clean Election funds.

Finally, Public Law 2001, chapter 465 specifies that rules adopted by the commission regarding qualification and certification of a participating candidate, circumstances regarding vacancies, collection of revenues for the Clean Election Fund and distribution and disposition of revenues are major substantive rules.

LD 1714

An Act Relating to the Election of Candidates by the Instant Runoff Voting Method

ONTP

Sponsor(s)
TWOMEY

Committee Report
ONTP

Amendments Adopted

LD 1714 proposed to create the instant runoff voting method of determining winners in elections for President, Vice-President, United States Senator, United States Representative to Congress, Governor, state Senator and state Representative. As proposed, the method would simulate the ballot counts that would occur if all voters participated in a series of runoff elections and would allow a voter to rank candidates according to that voter's preferences. Each voter would have only one vote for each office, and the ballot count would be the same as would occur if voters participated in a series of runoff elections, with the weakest candidate eliminated after each round of counting. There would be an initial round of counting. If more than 2 candidates received votes after the initial round, the Secretary of State would conduct an instant runoff round. In this instant runoff round, the Secretary of State would eliminate the candidate with the fewest votes. A ballot that would rank this eliminated candidate as the highest-ranked candidate would be counted as a vote for the highest-ranked advancing candidate on that ballot. An advancing candidate would be a candidate who has not been eliminated. This process of counting votes and eliminating the candidate with the fewest votes would continue until 2 candidates remain. The candidate with the most votes would be declared the winner. For the presidential and vice-presidential elections, the instant runoff voting method would be conducted to determine winners for the entire State as well as in each congressional district.

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LD 1715

An Act Relating to Video Gaming Machines

ONTP

<u>Sponsor(s)</u> MICHAEL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1715 proposed to allow operation of video gaming machines by nonprofit organizations that are eligible for games of chance licenses and that are exempt from federal tax under the Internal Revenue Code, Section 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10) or 501(c)(19). These sections of the Internal Revenue Code refer to charitable organizations, civic leagues, fraternal benefit societies, domestic fraternal societies and associations and veterans organizations. As proposed, the organization applying for the license should own or lease the premises on which the machines would be placed and should use the premises for its primary charitable or nonprofit purpose.

LD 1752

**An Act to Update the Department of Defense, Veterans and
Emergency Management Laws**

CARRIED OVER

<u>Sponsor(s)</u> TUTTLE DOUGLASS		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1752, which was carried over to the Second Regular Session, proposes to make technical and substantive language changes throughout the Department of Defense, Veterans and Emergency Management's laws. It proposes to modify the Maine Code of Military Justice, authorize the sale of 2 armories in accordance with established procedures, fortify reemployment rights of service members, redesignate veteran service officers to veteran advocate, include fees as part of tuition reimbursement and modify the mechanism by which the Governor declares a state of emergency.

LD 1803

**Resolve, Authorizing the Department of Defense, Veterans and
Emergency Management to Accept Land for a Veterans' Cemetery
in Southern Maine**

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u> TUTTLE		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1803 proposed to authorize the Department of Defense, Veterans and Emergency Management to accept land in southern Maine for the purpose of establishing a veterans' cemetery.

Senate Amendment "A" (S-230) added a fiscal note to the resolve.

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LD 1807

**Resolve, Directing the State Auditor to Amend the Campaign
Finance Reporting Form for Candidates to a Form Similar to the
Form Used in 1994**

**DIED BETWEEN
BODIES**

Sponsor(s)
TUTTLE

Committee Report
OTP

Amendments Adopted

LD 1807 proposed to direct the State Auditor to amend the campaign finance reporting form to resemble the form used in 1994. The resolve specified that this form must be complete for use by the next general election.

Senate Amendment "A" (S-299), which was not adopted, proposed to direct the Commission on Governmental Ethics and Election Practices to review the campaign finance reporting forms for candidates and proposed to direct the commission to simplify these forms if the commission determines it appropriate and feasible.

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LD 1808 **An Act Regarding the Laws Governing the Department of Defense, Veterans and Emergency Management and the Commission to Recognize Veterans of the Vietnam War in the State House Hall of Flags** **PUBLIC 353**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP	S-215 DOUGLASS

LD 1808 was the result of 2001 Joint Order, H.P. 1340 and was emergency legislation that proposed to extend the final reporting date for the commission to recognize veterans of the Vietnam War in the State House Hall of Flags. The sections of the bill regarding the commission would apply retroactively to November 1, 2000. The bill also proposed to make changes to the laws governing the Department of Defense, Veterans and Emergency Management by authorizing the sale of the Caribou Armory and requiring the Governor to make an oral declaration of an emergency and specifying that a written declaration must be filed with the Secretary of State within 24 hours of the oral declaration.

Senate Amendment "A" (S-215) struck the emergency preamble and the emergency clause and added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 353 extends the final reporting date for the commission to recognize veterans of the Vietnam War in the State House Hall of Flags. The law also authorizes the Department of Defense, Veterans and Emergency Management to sell the armory located in Caribou and permits the Governor to declare an emergency orally provided that a written declaration is filed with the Secretary of State within 24 hours of the declaration.

LD 1809 **An Act Concerning the Penalties for Late Filing of Accelerated Campaign Reporting Under the Maine Clean Election Act** **PUBLIC 470
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-718 S-363 DOUGLASS S-370 WOODCOCK

LD 1809 proposed to amend the laws governing penalties for failure to file accelerated campaign finance reports. Current law requires the imposition of a penalty that may result in an amount disproportionate to the gravity of the lateness in filing. This bill proposed to establish a maximum penalty of \$5,000 for such a violation, and amends the law to allow the Commission on Governmental Ethics and Election Practices to consider when assessing a penalty factors such as the existence of a valid emergency, an error by commission staff and evidence of a bona fide effort to file.

Committee Amendment "A" (H-718) replaced the bill. It amends current law to specify that the Governor shall make nominations to the Commission on Governmental Ethics and Election Practices public upon nomination. It

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requires that the commission employ general counsel and an administrative director as employees of the commission. General counsel compensation would be paid for using the Maine Clean Election Fund. The Attorney General would still aid the commission upon request. Current law requires that the Commission on Governmental Ethics and Election Practices meet 4 times a year. This amendment requires the commission to meet once per month, every 2 weeks 60 days prior to an election and every day during the 28 days prior to an election as long as there are agenda items that require consideration. Such agenda items must be decided within 24 hours of the filing of an inquiry or complaint with the commissioner unless all parties involved agree otherwise. Under this amendment, in the 28 days prior to an election, the commission may hold meetings by telephone. The office of the commission is required to be open from 8 a.m. to 5:30 p.m. on the Saturday, Sunday and Monday prior to an election and until 8 p.m. on election day. The amendment also establishes a reporting schedule for candidates with an opponent who is a participating candidate in the Maine Clean Election Act. Current law specifies mitigating circumstances and allows the consideration of those circumstances that may be considered by the commission when assessing penalties for the late filing of some reports. This amendment extends that provision to the consideration of penalties for the late filing of accelerated reports required when a traditionally funded candidate who receives, spends or obligates 101% of the distribution received by an opponent who is a participating candidate in the Maine Clean Election Act. It also requires the commission to notify a candidate if any reported amount results in a candidate exceeding 101% of the funding received by that candidate's opponent who is a participating candidate in the Maine Clean Election Act. Under this amendment, the commission is required to make a finding of fact establishing when an accelerated report was due prior to assessing a penalty. The amendment also provides for a ceiling to the penalty assessed for late filing of an accelerated report as long as the commission finds that a bona fide effort was made to file an accurate and timely report. The changes made by this amendment are retroactive to January 1, 2000. The penalty provisions regarding late filing of accelerated reports are repealed August 1, 2002.

This amendment also adds an appropriation, an allocation, an emergency preamble and emergency clause to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-349), which was not adopted, proposed to amend the committee amendment regarding appointments to the Commission on Governmental Ethics and Election Practices. The term of any member of the commission appointed prior to January 1, 2002 ends upon the confirmation of nominees to the commission nominated according to the changes proposed by this amendment. Under this proposed amendment, the Governor would appoint 4 of the commission members from a list of qualified candidates presented by appointed leaders of each party in each body of the Legislature. A 5th member of the commission must be chosen from a list of 3 qualified candidates presented to the Governor jointly by the appointed leaders of each party of each body of the Legislature.

Senate Amendment "B" to Committee Amendment "A" (S-363) funds the per diem and other expenses associated with increasing the number of commission meetings and extending office hours from the Maine Clean Election Fund.

Senate Amendment "C" to Committee Amendment "A" (S-370) amends the committee amendment regarding appointments to the Commission on Governmental Ethics and Election Practices. The term of any member of the commission appointed prior to January 1, 2002 ends upon the confirmation of nominees to the commission nominated according to the changes made by this amendment. Under this amendment, the Governor shall appoint 4 commission members from a list of qualified candidates presented by appointed leaders of each party in each body of the Legislature. The public is given 30 days to suggest nominees for appointment to the commission. A 5th member of the commission must be chosen from a list of 3 qualified candidates presented to the Governor

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jointly by the appointed leaders of each party of each body of the Legislature. The Governor selects the nominee for the commission from the list provided by the party leaders.

Enacted law summary

Public Law 2001, chapter 470 changes the process by which appointments are made to the Commission on Governmental Ethics and Election Practices, increases the number of meetings the commission is required to hold and requires the commission to consider mitigating circumstances when assessing a penalty for late filing of accelerated reports filed by a traditionally funded candidate opposed by a participating candidate in the Maine Clean Election Act.

Under this law, terms for members of the Commission on Governmental Ethics and Election Practices beginning prior to January 1, 2002 will end upon the confirmation of nominees made according to the new appointment process. This appointment process requires that members of legislative leadership shall provide the Governor with a list of three qualified candidates for each position from which to choose a nominee. These nominees are subject to confirmation by the Legislature.

During the year, the commission is required to meet monthly and 60 days preceding an election, bi-weekly. In the 28 days preceding an election the commission is required to meet within one calendar day of the filing of any complaint or question with the commission. Agenda items in the 28 days preceding an election must be decided within 24 hours unless all parties agree otherwise.

This law also specifies that the commission employ an administrative director and retain general counsel as an employee of the commission.

Public Law 2001, chapter 470 requires the commission to consider mitigating circumstances when assessing penalties for late filing of accelerated reports and places some limits on those penalties as long as the commission finds that a bona fide effort was made to file an accurate and timely accelerated report. Sections of this law pertaining to penalties are repealed August 1, 2002.

Public Law 2001, chapter 470 was enacted as an emergency measure effective June 28, 2001.

LD 1814

**An Act Regarding the Use of Tokens or Tickets for Games of
Chance at Agricultural Fairs**

**PUBLIC 384
EMERGENCY**

Sponsor(s)
TUTTLE

Committee Report
ONTP
OTP

Amendments Adopted
H-629 TUTTLE

LD 1814 was the minority of the Joint Standing Committee on Legal and Veterans Affairs to report out a bill pursuant to Joint Order 2001, House Paper 1332. Current law requires that, beginning January 1, 2001, agricultural fairs licensed to conduct games of chance must use tokens or tickets to conduct those games unless the games are operated by a member of the agricultural fair society or a bona fide nonprofit entity. For-profit entities hired by the fair are required to use tokens or tickets when operating the games. This bill proposed to amend the law by extending by one year the date that fairs are required to comply. It also proposed to require the State Police and the Department of Agriculture, Food and Rural Resources to report to the joint standing committee of

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the Legislature having jurisdiction over games of chance by January 15, 2002 and 2003. This bill as proposed would be retroactive to January 1, 2001.

House Amendment "A" (H-629) required that beginning January 1, 2001, games of chance operated at agricultural fairs must be conducted using tickets or tokens unless the games are conducted by a member of the agricultural fair society or a bona fide nonprofit. The original bill proposed to extend the date by which agricultural fairs must comply with the ticket or token provision to January 1, 2002; the amendment removes that change. The amendment permits agricultural fairs to use tickets, tokens or cash regardless of who operates the games of chance. The amendment also removed the emergency preamble and emergency clause from the bill. The amendment maintained the provision that would make the changes to current law retroactive to January 1, 2001.

Enacted law summary

Public Law 2001, chapter 384 delays implementation by one year of the requirement that agricultural fairs licensed to conduct games of chance use tokens or tickets to operate those games unless the games are operated by a member of the agricultural fair society or a non-profit. Under this law, the date by which agricultural fairs must now comply with this requirement is January 1, 2002.

Public Law 2001, chapter 384 was enacted as an emergency measure effective June 11, 2001.

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